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Counsel for Plaintiffs

Global Weather Productions, LLC, Adam Lucio,

Scott Peak, Reed Timmer and Dan Whittaker

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

GLOBAL WEATHER PRODUCTIONS, LLC,
ADAM LUCIO, SCOTT PEAKE, REED
TIMMER and DAN WHITTAKER,

Plaintiffs,

v.

IRMA AGUIRRE MENDOZA and
TELEVISA S.A. DE CV,

Defendants.

CASE NO.: 3:25-cv-06017

**COMPLAINT FOR INTELLECTUAL
PROPERTY INFRINGEMENT AND
REMOVAL OF COPYRIGHT
MANAGEMENT INFORMATION**

(INJUNCTIVE RELIEF DEMANDED)

GLOBAL WEATHER PRODUCTIONS, LLC, ADAM LUCIO, SCOTT PEAKE, REED
TIMMER AND DAN WHITTAKER (“Plaintiffs”) by and through their undersigned counsel,
hereby bring this Complaint against Defendants IRMA AGUIRRE MENDOZA and TELEVISA
S.A. DE CV (collectively referred to herein as “Defendants”) who operate the YOUTUBE
CHANNEL named NMAS, for damages and injunctive relief, and in support thereof states as
follows:

SUMMARY OF THE ACTION

1. Plaintiffs bring this action for violations of exclusive rights under the Copyright Act,
17 U.S.C. § 106, to reproduce, publicly perform, and distribute Plaintiffs' original copyrighted works

1 of authorship and for removal or alteration of copyright management information in violation of 17
2 U.S.C. § 1202.

3 **JURISDICTION AND VENUE**

4 2. This is an action arising under the Copyright Act, 17 U.S.C. §§ 501, 1202.

5 3. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§
6 1331, 1338(a).

7 4. Defendants are subject to personal jurisdiction in California and jurisdiction is proper
8 in this district court.

9 5. Jurisdiction is proper in California because Defendants are transacting business
10 within California by using the YouTube platform that Google operates from within California to (a)
11 commit acts of infringement, (b) profit from acts of infringement, (c) commit CMI violations, and
12 (d) profit from CMI violations.

13 6. Jurisdiction is proper in California because Defendants committed tortious acts within
14 California on the YouTube platform that Google operates in California. Defendants: (a) committed
15 acts of infringement alleged below in California on the YouTube platform, and (b) committed CMI
16 falsification and removal violations alleged below in California on the YouTube platform.

17 7. Jurisdiction is proper in California because Defendants caused Plaintiffs to suffer a
18 tortious injury in this state caused by an act or omission outside this state. The acts or omissions that
19 the Defendants committed outside the state consisted of: (a) downloading Plaintiffs' copyrighted
20 videos, (b) copying Plaintiffs' copyrighted videos, (c) editing and creating derivative works of
21 Plaintiffs' copyrighted videos, and (d) removing and falsifying Plaintiffs' copyright management
22 information. All these acts caused Plaintiffs to suffer tortious injury in California because after
23 committing these acts, Defendants then uploaded the infringing videos to YouTube and
24 displayed/performed the infringing videos on the YouTube platform with false CMI or with CMI
25 removed. Defendants then profited from their acts by receiving advertising revenue from infringing
26 videos, and damaged Plaintiffs by depriving Plaintiffs of the revenue that rightfully belonged to
27 Plaintiffs and not Defendant.
28

8. Jurisdiction is also proper in this district court pursuant to 17 U.S.C. § 512(g)(3)(D) because Defendants consented to the jurisdiction of this federal district court when they provided the counternotification attached hereto in **Exhibit 5**, because the service provider provided with the counternotification can be found in this judicial district, namely YouTube.

10. Defendants are subject to personal jurisdiction in this district pursuant to Federal Rule of Civil Procedure 4(k)(2) because (i) Defendants are not subject to jurisdiction in any state's court of general jurisdiction; and (ii) exercising jurisdiction is consistent with the United States Constitution and laws.

12. Defendants may be served by and through the email address listed in its counternotice and through YOUTUBE that acted as their agent and Defendants agreed to accept service of process through YOUTUBE from Plaintiffs or an agent of Plaintiffs in the counternotification pursuant to 17 U.S.C. § 512(g)(3)(D).

PLAINTIFFS

1 14. GWP's videos of extreme weather events are frequently copied, downloaded, and
2 reuploaded by infringers. GWP's videos are a popular and frequent source of footage of weather
3 events that cannot be obtained elsewhere. This makes GWP a frequent target for infringers and
4 pirates.

5 15. GWP is a Wyoming Limited Liability Company. GWP was founded May 31, 2023.
6 Michael Brandon Clement is the sole proprietor/owner of GWP.

7 a. MICHAEL BRANDON CLEMENT ("Clement") is an award-winning
8 videographer and drone pilot that has licensed content to hundreds of media outlets globally.
9 He has been documenting extreme weather for almost 30 years. Clement has been featured
10 on Netflix, HBO, and many other documentaries. His company WxChasing has a well-
11 established brand and large following on social media. His content has amassed Billions of
12 views. Clement has assisted with first responders, charities and regularly provides ground
13 truth to the National Weather Service and major media outlets relaying vital information to
14 the public.

15 b. JONATHAN PETRAMALA ("Petramala") is a professional storyteller and
16 has a degree in journalism. He has a large social media network following documenting his
17 stories during and after major weather events. Petramala has worked from local to national
18 media spanning more than two decades and has performed water rescues, pulled people
19 trapped from tornado debris and helped people out of a trapped car. His content has been
20 viewed hundreds of millions of times and been licensed to news outlets globally. Petramala
21 was also the writer and director in multiple documentaries and been featured in other
22 documentaries. Petramala has been a professional journalist for over 20 years and shifted his
23 focus to extreme weather and storytelling in 2018. Since then, he has chased a variety of
24 events, including flash floods, tornadoes, and hurricanes. His first tornado chase was in
25 Tescott, Kansas, in May 2018 during a severe weather outbreak, and he intercepted his first
26 major hurricane, Hurricane Florence, later that same year.

27 16. ADAM LUCIO ("Lucio") is a professional videographer and severe weather expert
28 with over 20 years of experience in storm chasing and weather documentation. Based in both Dallas,

1 Texas, and Chicago, Illinois, Lucio has captured footage of more than 350 tornadoes and numerous
2 major hurricanes throughout his career. His work has been featured in major national and
3 international media outlets. Lucio is the co-owner of Illinois Storm Chasers, LLC, the largest social
4 media-based weather platform in the state of Illinois. In addition to his own fieldwork, Lucio serves
5 as a professional tour guide with Tornadic Expeditions and collaborates with organizations including
6 Texas Storm Chasers and Ryan Hall Enterprises to provide real-time severe weather coverage and
7 content.

8 17. SCOTT PEAKE ("Peake") is a veteran storm chaser and severe weather reporter with
9 24 years of experience in the field. Over the past 14 years, he has specialized in content creation,
10 including high-impact videography, drone footage, and award-winning photography, having
11 received multiple Storm Photo of the Year honors. Peake currently serves as a Search and Rescue
12 (SAR) First Responder and Meteorologist for the United Cajun Navy (UCN), a nationally
13 recognized disaster relief organization. In this role, he collaborates closely with local, state, and
14 federal agencies, including emergency management, law enforcement, fire departments, and the U.S.
15 Coast Guard, supporting search and rescue missions and disaster recovery efforts. He also provides
16 storm reports to the National Weather Service, contributing to timely and accurate public safety
17 alerts. Peake's storm documentation work has been widely recognized and licensed for media use.
18 His background includes prior experience as a storm chaser for CBS 11 in the Dallas/Fort Worth
19 market, further showcasing his expertise in broadcast media. Through both his content and field
20 operations, Peake plays a critical role in severe weather communication, emergency response, and
21 public safety.

22 18. REED TIMMER ("Timmer") is a meteorologist with a PHD and famous storm
23 chaser. Timmer was featured in "Storm Chasers" television show on Discovery Channel and has
24 worked with local, national, and international media for decades. His live streams of weather events
25 have undoubtedly saved many lives by providing outstanding coverage in real time. Timmer has one
26 of the largest and most valuable extreme weather libraries in the world and has traveled to many
27 countries to document storms. Timmer also has a very large social media presence with several
28 million followers/subscribers and supporters that help finance his endeavors. Timmer has a long

1 history of rescuing people from tornado damage to floods to blizzards and is also the only person to
2 ever shoot a rocket into a tornado and capture extremely rare data from inside of a tornado. Having
3 intercepted over 1000 tornadoes and a dozen powerful hurricanes since he started chasing 20 years
4 ago, Reed Timmer is well-known as the most successful and extreme storm chaser in the world, and
5 is one of the few people in existence to document both an F5 tornado, and the most devastating
6 hurricane in U.S. history (Hurricane Katrina).

7 19. DAN WHITTAKER ("Whittaker") is an award-winning storm chaser,
8 photojournalist, and aerial videographer with over 17 years of experience documenting extreme
9 weather, nature, and wildlife around the world. His work has been featured by National Geographic,
10 the Discovery Channel, and major news outlets, contributing to public safety efforts through
11 collaboration with agencies like the National Weather Service. Whittaker is the founder of
12 StormSquad.net, where his dramatic storm footage helps document severe weather events
13 nationwide, and he is FAA-certified as a remote pilot and specializes in advanced techniques such as
14 drone videography, time-lapse, and motion-controlled filming. He also teaches photography and
15 multimedia at Randolph Community College and is dedicated to educating others about the power
16 and beauty of the natural world."

17 20. Plaintiffs' videos of extreme weather events are frequently copied, downloaded, and
18 reuploaded by infringers. Plaintiffs are popular and frequent sources of footage of weather events
19 that cannot be obtained elsewhere. This makes Plaintiffs frequent targets for infringers and pirates.

20 21. Plaintiffs operate popular and valuable YouTube channels on the YouTube platform.

21 22. Plaintiffs' YouTube channels are viewed by substantial numbers of California
22 residents who also view advertising placed on the videos on those channels by YouTube.

23 23. When infringement occurs to Plaintiffs' copyrighted Works, Plaintiffs are injured and
24 damaged in California. When someone infringes on Plaintiffs' copyright like Defendants, Plaintiffs
25 lose out on potential sales or licensing revenue to other California businesses. When Plaintiffs'
26 copyrighted work is infringed upon and widely distributed on YouTube without Plaintiffs'
27 permission like Defendants did, it damages Plaintiffs' reputation as a professional source of valuable
28

1 extreme weather video content and makes it more difficult for Plaintiffs to negotiate valuable
 2 licenses from clients and potential clients in California in the future.

3 YOUTUBE AND GOOGLE LLC

4 24. YouTube is a video-sharing platform where users can watch, upload, and share
 5 videos. It is one of the most popular websites in the world, with over 2 billion active users.

6 25. Google LLC owns YouTube.

7 26. YouTube is headquartered in this judicial district.

8 27. YouTube's main business is advertising. It generates revenue by selling advertising
 9 space on its website and mobile apps. Advertisers can target their ads to specific demographics,
 10 interests, and even keywords. This allows them to reach their target audience with a high degree of
 11 accuracy. YouTube also earns revenue from its YouTube Premium subscription service. YouTube
 12 Premium members can watch videos without ads, download videos for offline viewing, and access
 13 YouTube Music Premium. In addition to advertising and subscriptions, YouTube also generates
 14 revenue from other sources, such as channel memberships.

15 28. YouTube is a very profitable business. In 2021, it generated \$28.8 billion in revenue
 16 and \$20.6 billion in profit. Some of the factors that have contributed to YouTube's success are:

17 a. The large number of users: YouTube has over 2 billion active users
 18 worldwide.

19 b. The high level of engagement: Users watch an average of 1 hour and 20
 20 minutes of YouTube videos per day.

21 c. The wide variety of content: YouTube offers a wide variety of content, from
 22 music videos to educational tutorials to funny cat videos.

23 d. The ease of use: YouTube is easy to use and navigate.

24 e. The monetization opportunities: YouTube offers a variety of ways for creators
 25 to monetize their content, such as through advertising, channel memberships, and Super
 26 Chat.

DEFENDANTS

29. IRMA AGUIRRE MENDOZA and TELEVISA S.A. DE CV operate the YOUTUBE CHANNEL named NMAS.

30. It is believed that Irma Aguirre Mendoza is an employee of Televisa S.A. de CV.

31. Irma Aguirre Mendoza submitted the counternotice in response to Plaintiffs' takedown notices. *See* **Exhibit 5**.

32. Defendants copied and downloaded Plaintiffs' copyrighted Works from YouTube.

33. After Defendants downloaded Plaintiffs' Works, they edited the Works, removed Plaintiffs' copyright management information, and then uploaded infringing versions of Plaintiffs' Works to YouTube.

34. Defendants copied Plaintiffs' Works in order to advertise, market, and promote their YouTube channel, grow their YouTube channel subscriber base, earn money from advertising to their YouTube subscribers, and engage in other money-making business activities using Plaintiffs' copyrighted media content.

35. Defendants committed the violations alleged in connection with Defendants' businesses for purposes of advertising to the public, including YouTube viewers in California, in the course and scope of the Defendants' business.

36. The YouTube and Google AdSense terms of service prohibit the Defendants from engaging in the actions alleged herein. Specifically, the Defendants agreed (1) they are not allowed to upload content that includes third-party intellectual property (such as copyrighted material) unless with permission from that party or are otherwise legally entitled to do so; (2) they are responsible for the content uploaded to YouTube, and may be liable for any copyright infringement claims that arise from your content; (3) YouTube may remove or disable access to any content that it believes infringes on someone else's copyright.

37. Attached hereto as **Exhibit 1** is a list showing the Defendants' links to its channel, and the Plaintiffs' Works that are the subject of this action.

38. The Defendants' YouTube channel is extremely popular and valuable.

1 39. The Defendants' YouTube channel earns significant revenue from the performance
2 and display of pirated video content.

3 40. The Defendants monetized the videos it stole from Plaintiffs. Monetizing videos on
4 YouTube involves enabling advertisements to be displayed on your videos, which allows you to earn
5 money through the YouTube Partner Program. The process works like this:

6 a. Eligibility: To monetize your videos, you need to meet certain eligibility
7 criteria set by YouTube. You have to have at least 1,000 subscribers on your channel and a
8 total of 4,000 watch hours in the past 12 months.

9 b. Joining the YouTube Partner Program: Once you meet the eligibility
10 requirements, you can apply to join the YouTube Partner Program (YPP). This program
11 allows you to monetize your videos by enabling ads on them. If your application is approved,
12 you gain access to various monetization features.

13 c. Ad Formats: YouTube offers different ad formats that can appear on your
14 videos, including pre-roll ads (shown before your video starts), mid-roll ads (shown during
15 longer videos), and display ads (overlayed on the video or beside it). The specific types of
16 ads displayed on your videos may depend on factors like the viewer's location and the
17 advertiser's targeting preferences.

18 d. Revenue Sharing: When ads are displayed on your videos, you earn a portion
19 of the revenue generated by those ads. The exact revenue split varies, but generally, creators
20 receive around 55% of the ad revenue, while YouTube retains the remaining 45%. The
21 revenue is based on factors such as the number of ad impressions, viewer engagement, and
22 the advertisers' bidding.

23 e. AdSense Account: To receive payments for your YouTube earnings, you need
24 to have an AdSense account linked to your YouTube channel. AdSense is a program by
25 Google that allows publishers (in this case, YouTube creators) to earn money from ads. Once
26 your AdSense account is set up and linked to your YouTube channel, you can manage your
27 earnings and payment settings.
28

1 f. Payment Threshold: YouTube pays creators once they reach a payment
2 threshold, which is typically \$100. Once your earnings exceed this threshold, you become
3 eligible for payment. YouTube offers various payment methods, such as direct deposit or
4 wire transfer, depending on your country.

5 g. Other Revenue Streams: While ad revenue is a significant way to monetize
6 your YouTube channel, creators often explore other revenue streams as well. These can
7 include brand partnerships, sponsorships, merchandise sales, crowdfunding, and more.

8 41. Defendants had access to and downloaded Plaintiffs' copyrighted Works hosted by
9 YouTube from Plaintiffs' affiliated YouTube channels or Facebook pages online.

10 42. Once downloaded, Defendants edited the pirated videos to remove or crop out
11 Plaintiffs' proprietary watermarks and metadata. After editing the pirated videos, Defendants
12 combined the Plaintiffs' videos with other video content that they either stole from others or created
13 themselves and then reupload the resulting video to their YouTube channel and enabled advertising
14 on them to earn monetization revenue.

15 THE COPYRIGHTED WORKS AT ISSUE

16 43. The authors of the Works at issue are listed in **Exhibit 1**, along with the URLs where
17 the Works can be found online.

18 44. The Works at issue in this case are registered with the Register of Copyrights
19 pursuant to 17 U.S.C. § 411(a). Copies of the Registration Certificates are attached hereto as **Exhibit**
20 **3**.

21 45. At all relevant times, Plaintiffs were the exclusive agents of the Works at issue in this
22 case.

23 INFRINGEMENT BY DEFENDANTS

24 46. Defendants have never been licensed to use the Works at issue in this action for any
25 purpose.

26 47. On a date after the Works listed in **Exhibit 1** at issue in this action were created, but
27 prior to the filing of this action, Defendants copied the Works and removed Plaintiffs' copyright
28 management information from the Works.

48. Defendants copied the Works, publicly performed the Works, and made further copies and distributed the Works on the internet without Plaintiffs' or the authors' permission, and without Plaintiffs' copyright management information.

49. Prior to the filing of this action, on a date after the Works were registered, Plaintiffs discovered the unauthorized use of the Works by Defendants.

50. Plaintiffs notified YouTube and Defendants of the allegations set forth herein in DMCA notices. Attached hereto as **Exhibit 4** are the Takedown notices.

COUNT I - COPYRIGHT INFRINGEMENT

51. Plaintiffs incorporate the allegations of paragraphs 1 through 50 of this Complaint as if fully set forth herein.

52. Plaintiffs own valid copyrights in the Works at issue listed on **Exhibit 1**.

53. The Works at issue in this case were registered with the Register of Copyrights pursuant to 17 U.S.C. § 411(a), as shown in **Exhibit 3**.

54. Defendants copied, displayed, and distributed the Works at issue in this case and made derivatives of the Works without Plaintiffs' authorization in violation of 17 U.S.C. § 501. Screenshots of the unauthorized uses are attached hereto as **Exhibit 2**.

55. Defendants profited from the monetization of Plaintiffs' copyrighted content by placing advertising on the Plaintiffs' Works and those profits rightfully belong to Plaintiffs.

56. Plaintiffs have been damaged.

57. The harm caused to Plaintiffs is irreparable.

COUNT II - REMOVAL OR ALTERATION OF COPYRIGHT MANAGEMENT INFORMATION

58. Plaintiffs incorporate the allegations of paragraphs 1 through 50 of this Complaint as if fully set forth herein.

59. The Works at issue in this case set forth on **Exhibit 1** contained copyright management information ("CMI") consisting of watermarks identifying the Works as "NOT FOR BROADCAST" and the property of WxChasing, Live Storms Media, or similar markings that Plaintiffs use to identify and associate itself with its Works.

60. Defendants knowingly and with the intent to enable or facilitate copyright infringement, removed CMI from the Works at issue in this action in violation of 17 U.S.C. § 1202(b).

61. Defendants committed these acts knowing or having reasonable grounds to know that they will induce, enable, facilitate, or conceal infringement of Plaintiffs' rights in the Works at issue in this action protected under the Copyright Act.

62. Defendants caused, directed, and authorized others to commit these acts knowing or having reasonable grounds to know that they will induce, enable, facilitate, or conceal infringement of Plaintiffs' rights in the Works at issue in this action protected under the Copyright Act.

63. Plaintiffs have been damaged.

64. The harm caused to Plaintiffs has been irreparable.

COUNT III - FALSIFICATION OF COPYRIGHT MANAGEMENT INFORMATION

65. Plaintiffs incorporate the allegations of paragraphs 1 through 50 of this Complaint as if fully set forth herein.

66. Defendants knowingly and with the intent to induce, enable, facilitate, or conceal infringement, provided copyright management information that is false.

67. By uploading content to YouTube, Defendants declared that they had the necessary rights or permissions to distribute and share that content.

68. Defendants' YouTube channel provided identifying information for Defendants that was copyright management information that is falsely claimed ownership or rights in the Works displayed there that was false and provided to induce, enable, facilitate, or conceal infringement of Plaintiffs' Works in violation of 17 U.S.C. § 1202(a).

69. Defendants caused, directed, and authorized others to commit these acts knowing or having reasonable grounds to know that they will induce, enable, facilitate, or conceal infringement of Plaintiffs' rights in the Works at issue in this action protected under the Copyright Act.

70. Plaintiffs have been damaged.

71. The harm caused to Plaintiffs has been irreparable.

WHEREFORE, Plaintiffs pray for judgment against the Defendants that:

1 a. Defendants, their officers, agents, servants, employees, affiliated entities, and
2 all of those in active concert with them, be preliminarily and permanently enjoined from
3 committing the acts alleged herein in violation of 17 U.S.C. §§ 501, 1203;

4 b. Defendants be required to pay Plaintiffs' actual damages and Defendants'
5 profits attributable to the infringement, or, at Plaintiffs' election, statutory damages, as
6 provided in 17 U.S.C. §§ 504, and 1203;

7 c. Plaintiffs be awarded their attorneys' fees and costs of suit under the
8 applicable statutes sued upon;

9 d. Plaintiffs are awarded pre- and post-judgment interest; and

10 e. Plaintiffs be awarded such other and further relief as the Court deems just and
11 proper.

12 **JURY DEMAND**

13 Plaintiffs hereby demand a trial by jury of all issues so triable.

14 DATED: July 16, 2025

Respectfully submitted,

15 /s/ Matthew L. Rollin

16 MATTHEW L. ROLLIN

17 **SRIPLAW, P.A.**

18 *Counsel for Plaintiff Global Weather Productions,*
19 *LLC, Adam Lucio, Scott Peake, Reed Timmer and Dan*
20 *Whittaker*